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Hearing Clerk
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Post Hearing Brief of Federal Milk Market Administrator

I wish to file this post-hearing brief relating to the hearing in Bloomington, Minnesota on August 16-19, 2004 (Docket No. AO-361-A39; DA-04-03). In that hearing, I testified in support of Proposal No. 7, which proposes to amend §1030.85 of the Upper Midwest Order to increase the maximum administrative assessment rate from 5 cents per hundredweight to 8 cents per hundredweight.

During my cross-examination, I referred to the maximum level of reserve funds that the market administrator is allowed to carry according to regulation. According to the Hearing Transcript (Page 702), I referred to this level as "125 percent" of the recommended level of reserves. It was my intent to say "120 percent" rather than "125 percent". I earlier submitted this item as a proposed correction to the Hearing Transcript. This brief serves as further clarification that it was my intent (Hearing Transcript, Page 702, Line 24) to say "120 percent" rather than "125 percent".

H. Paul Kyburz
Federal Milk Market Administrator
Upper Midwest Order, Federal Order No. 30